

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**BASF AGRO B.V., ARNHEIM (NL),
WÄDENSWIL BRANCH, BAYER
S.A.S., and Merial Limited,
Plaintiffs,**

CIVIL ACTION NO. 10-CV-274

v.

**CHEMINOVA, INC.
Defendant.**

NOTICE OF SPECIAL APPEARANCE

PLEASE TAKE NOTICE that pursuant to Local Rule 83.1(d), the following counsel will also appear on behalf of Merial Limited, one of the named Plaintiffs in the above-referenced matter:

Matthew W. Howell
Georgia Bar No.: 607080
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-3424
Telephone: (404) 881-7349
Facsimile: (404) 253-8849
Email: MATTHEW.HOWELL@ALSTON.COM

Counsel of record in this matter is directed to serve all communications, pleadings and papers on the above counsel.

In accordance with Local Rule 83.1(d)(2), the undersigned appears in association with Jitendra Malik, Ph.D. (NCSB No. 32809), who is a member of the bar of this court.

Dated this 18th day of November, 2010.

By: /s/ Matthew W. Howell

Matthew W. Howell
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street
Atlanta, GA 30309-3424
Telephone: (404) 881-7349
Facsimile: (404) 253-8849
Email: MATTHEW.HOWELL@ALSTON.COM

Counsel for Merial Limited

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of November, 2010, I electronically filed the foregoing NOTICE OF SPECIAL APPEARANCE with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants.

/s/ Jitendra Malik

Jitendra Malik, Ph.D. (NCSB No. 32809)
ALSTON & BIRD, LLP
Suite 4000
101 South Tryon Street
Charlotte, NC 28280-4000
Tel.: (704) 444-1115
Fax.: (704) 444-1695
E-mail: jitty.malik@alston.com

Of Counsel:

Judy Jarecki-Black, Ph.D.
MERIAL LIMITED
3239 Satellite Blvd.
Duluth, GA 30096-4640
judy.jarecki@merial.com
Tel.: (678) 638-3805
Fax.: (678) 638-3350

Frank G. Smith, III
John W. Cox, Ph.D.
Matthew W. Howell
ALSTON & BIRD, LLP
1201 West Peachtree Street
Atlanta, GA 30309-3424
Tel.: (404) 881-7000
Fax.: (404) 881-7777

Deepro R. Mukerjee
ALSTON & BIRD, LLP
90 Park Avenue
New York, NY 10016-1387
Tel.: (212) 210-9501
Fax.: (212) 922-388

J. Patrick Elsevier, Ph.D.
JONES DAY
12265 El Camino Real,
Suite 200
San Diego, CA 92130
jpelsevier@jonesday.com
Tel.: (858) 314-1200
Fax: (858) 314-1150

Counsel for Merial Limited